



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, JANUARY 26, 2005**

9:00 a.m.  
City Council Chambers  
Room 205  
City Hall

801 North First Street  
San Jose, California

### **Hearing Officers**

**Jean Hamilton, AICP, Principal Planner**

**Susan Walton, Principal Planner**

**Plan Implementation Division  
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP  
Director Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **January 26, 2005**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Joe Babiasz ([joe.babiasz@sanjoseca.gov](mailto:joe.babiasz@sanjoseca.gov)).

# AGENDA

## ORDER OF BUSINESS

### 1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

**The matter of deferrals is now closed.**

### 2. CONSENT CALENDAR

#### NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. [SPA98-041-01. Special Use Permit Renewal](#) to allow the continued operation of an existing residential service facility with a maximum of 15 beds, including 3 staff members, in an existing structure, on 1.16 acres in the A Agricultural Zoning District, located at/on the East side of Tennant Avenue approximately 140 feet northerly of South Garden Court (5970 TENNANT AV) (Perez Herman C And Janice C Trustee & Et Al, Owner; Arh Recovery Homes, Inc, Developer). Council District 2. SNI: None. CEQA: Negative Declaration.
- b. [TR04-141. Tree Removal Permit](#) request to remove one Tulip tree, 68 inches in circumference on a 0.20 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2902 Vivian Lane (Johnson Elizabeth G Trustee, Owner). Council District 9. CEQA: Exempt.
- c. [PD04-068. Planned Development Permit](#) to enclose an existing pump station with a roof and to install a 2 MW generator on a 23.91 gross acres site in the A(PD) Planned Development Zoning District, located on the south side of Yerba Buena Avenue, 950 feet easterly of Chisin Road ( Owner: City of San Jose). Council District 8. SNI: None. CEQA: Exempt.

- d. [\*\*PD03-077. Planned Development Permit\*\*](#) to construct two (2) reinforced concrete recycled water tanks and related pipelines and access road on a 17.16 gross acre site in the A(PD) Planned Development Zoning District, located at the easterly terminus of Old Yerba Buena Road (Owner; City Of San Jose). Council District 8. SNI: None. CEQA: Addendum to Mitigated Negative Declaration.
- e. [\*\*SP04-061. Special Use Permit\*\*](#) request to allow a 395 square foot addition and reinstatement of an existing Legal Non Conforming Single Family Residence on a .08-acre lot in the LI-Light Industrial Zoning District, located on the North side of Waco Street approximately 140 feet North of Hamline Street (1064 WACO ST) (Gilbert and Nina Cervantes , Owner). Council District 3. SNI: None. CEQA: Exempt.
- f. The projects being considered are located on the southwest corner of Lundy Avenue and McKay Drive (1240 MCKAY DR), in the A(PD) Planned Development Zoning District (Sobrato Interests, Owner; The Riding Group, Developer). Council District 4. SNI: None. CEQA: EIR Resolution No. 72327, File No. PDC04-001.
  - 1. [\*\*PD04-074. Planned Development Permit\*\*](#) to demolish existing office buildings and construct 304 single-family attached residences on a 17.38 gross acre site.
  - 2. [\*\*PT04-094. Planned Tentative Map Permit\*\*](#) to reconfigure three parcels into 52 lots for 304 single-family attached residential units on a 17.38 gross acre site.
- g. [\*\*PD04-028. Planned Development Permit\*\*](#) request to allow a religious assembly use (with a maximum capacity of 92 people) in an existing retail building on a 4.52 gross acre site in the A(PD) Planned Development Zoning District, located at the southwest corner of Snell Avenue and Santa Teresa Boulevard (5885 SANTA TERESA BL) (Green Valley Corp, Owner). Council District 2. SNI: None. CEQA: Exempt.

## **WITHDRAWN**

**The consent calendar is now closed.**

### **3. [\*\*PUBLIC HEARING\*\*](#)**

- a. [\*\*PD04-080. Planned Development Permit\*\*](#) to demolish an existing single-family house for use of a surface parking lot on a 0.19 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of Delmas Avenue, approximately 300 feet northerly of W. San Fernando Street (402 W. Santa Clara Street) (SJW Land Company, Owner; Joe Ernst, Developer). Council District 3. SNI: Delmas Park. CEQA: Use of SJW Land Company Planned Development Rezoning Environmental Impact Report.

- b. **H04-053. Site Development Permit** to install an ATM at an existing bank on a 0.38 gross acre site in the CP Pedestrian Commercial Zoning District, located on the east side of Pearl Avenue, approximately 200 feet northerly of Blossom Hill Road (5592 Santa Teresa Blvd) (Cortese John J and Sarah Trustee, Owner). Council District 10. SNI: None. CEQA: Exempt.
- c. **PT04-097. Tentative Map Permit** request to subdivide 1 parcel into 2 lots for commercial purposes on a 5 gross acres site in the CO(PD) Planned Development Zoning District, located on the southwest corner of North First Street and Old Bayshore Road (1751 N 1ST ST) (Hanford Hotels, Owner). Council District 3. SNI: None. CEQA: Exempt.

**This concludes the Planning Director's Hearing for January 26, 2005. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT  
PLANNING DIRECTOR'S HEARING**

**Synopsis of Staff Recommendations**

**January 19, 2005**

**PUBLIC HEARINGS**

**1.    DEFERRALS**

**2.    CONSENT CALENDAR**

a.	TR04-129	DEFERRED TO 2/9/05
b.	TR04-152	APPROVED
c.	TR04-146	APPROVED
d.	TR04-144	APPROVED
e.	TR04-143	APPROVED
f.	PDA99-083-01	APPROVED
g.	TR04-138	APPROVED
h.	H04-049	APPROVED

**3.    PUBLIC HEARING**

a.	PT04-083	APPROVED
b.	T04-113	APPROVED